



**EXPEDITED RULE MAKING
(RCW 34.05.353)**

**CR-105 (11/1/01)
EXPEDITED RULE MAKING ONLY**

Agency: Department of Labor and Industries

(a) Title of rule: (Describe Subject) Department Vocational Rehabilitation Referrals

WAC 296-19A-045 Which rules under "department vocational rehabilitation referrals apply only to the department?"

WAC 296-19A-080 How often must written progress reports be completed and submitted during assessment activities?

WAC 296-19A-120 What reports does the department require when vocational rehabilitation plan implementation and monitoring services are provided at its request?

Purpose:

WAC 296-19A-045: Corrects the rule to reference two WACs adopted in May 2003 (WAC 296-19A-135 and 296-19A-137).

WAC 296-19A-080 and WAC 296-19A-120: The words "calendar" and "electronic" are to be added to specify that progress reports during assessment and plan referrals are required every 30 calendar days from the date of the electronic referral.

Other identifying information: None

(b) Statutory authority for adoption: RCW 51.04.020, 51.04.030,
51.32.095, 51.36.100, 51.36.110

Statute being implemented: Not Applicable
51.32.095, 51.36.100, 51.36.110

(c) Summary: **See Purpose above**

Reasons supporting proposal:

1. Clarifications were requested in public commentary during the rule-making process for the vocational rehabilitation rules adopted May 12, 2003 (WSR #03-11-009.)
2. Reporting requirements for vocational rehabilitation counselors will be clear and reflect current interpretation and practice.
3. Self-insured employers and their workers will know exactly which rules apply to them.
4. Department of Labor and Industries audit staff will have clear audit guidelines for enforcing reporting expectations.

(d) Name of Agency Personnel Responsible for:

Office Location

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(e) Name of proponent (person or organization):

Department of Labor and Industries

☐ Private

☐ Public

☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
None

(g) Is rule necessary because of:

Federal Law?

☐ Yes

☒ No

If yes, ATTACH COPY OF TEXT

Federal Court Decision?

☐ Yes

☒ No

Citation:

State Court Decision?

☐ Yes

☒ No

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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AND RECEIVED BY (Date) October 21, 2003

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Paul Trause

SIGNATURE

WSR # 03-17-072

TITLE

Director

DATE

August 19, 2003

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed revision to existing WAC 296-19A-045 will correct a technical oversight from the previous rule-making process. The anticipated effect is that self-insured employers and their workers will know that two of the WACs adopted in May 2003 do not apply to them.

Proposed revisions to WAC 296-19A-080 and WAC 296-19A-120 provide technical clarification of progress reporting requirements for vocational rehabilitation counselors. The anticipated effects of these amendments are that vocational rehabilitation counselors will provide timely services to injured workers and the department can more appropriately hold vocational providers accountable for timely progress

Does proposal change existing rules? ☐ YES ☒ NO If yes, describe changes: